

**City of Greensboro Planning Department
Zoning Staff Report
June 12, 2006 Public Hearing**

The information provided in this staff report has been included for the purpose of reviewing proposed zoning changes. Since the zoning process does not require a site plan, there may be additional requirements placed on the property through the Technical Review Committee process to address subdivision and development regulations.

Item: A
Location: 2101 Merritt Drive (Southeast quadrant of Merritt Drive & Green Point Drive)

Applicant: Marya Bojorquez
Owner: Ty Kim Hoang

From: RS-9
To: CD-NB

Conditions: 1) Freestanding signage shall be prohibited.

SITE INFORMATION	
Maximum Developable Units	N/A
Net Density	N/A
Existing Land Use	Neighborhood grocery store
Acreage	0.323
Physical Characteristics	<i>Topography:</i> Generally flat <i>Vegetation:</i> Mature trees <i>Other:</i> N/A
Overlay Districts	N/A
Historic District/Resources	N/A
Generalized Future Land Use	High Residential
Other	N/A

SURROUNDING ZONING AND LAND USE		
Location	Land Use	Zoning
<i>North</i>	Faith Harvest Fellowship Church	RS-9
<i>South</i>	Single family	RS-9
<i>East</i>	Single family	RS-9
<i>West</i>	Single family	RS-9

ZONING HISTORY		
Case #	Year	Request Summary
D821	2006	This property has been zoned RS-9 since July 1, 1992. Prior to the implementation of the UDO, it was zoned Residential 90S. A request to rezone this property to CD-RM-18 was denied by the Zoning Commission on April 10, 2006. Planning staff recommended denial of that request.

DIFFERENCES BETWEEN RS-9 (EXISTING) AND CD-NB (PROPOSED) ZONING DISTRICTS
RS-9: Primarily intended to accommodate moderate to high density single family detached dwellings in developments where public water and sewer service is required. The overall gross density will typically be 4.0 units per acre or less.
CD-NB: Primarily intended to accommodate very low intensity office, retail, and personal service uses within residential areas. The district is established to provide convenient locations for businesses which serve the needs of surrounding residents without disrupting the character of the neighborhood. It is not intended to accommodate retail uses which primarily attract passing motorists. Compatibility with nearby residences is reflected in design standards for both site layout and buildings. See Conditions for use limitation.

TRANSPORTATION	
Street Classification	Merritt Drive – Minor Thoroughfare, Green Point Drive – Collector.
Site Access	Existing.
Traffic Counts	Merritt Drive ADT = 12,107.
Trip Generation	N/A.
Sidewalks	N/A.
Transit	Yes.
Traffic Impact Study	Not required per TIS Ordinance.
Street Connectivity	N/A.
Other	N/A.

ENVIRONMENTAL REVIEW	
Water Supply Watershed	No site drains to South Buffalo Creek
Floodplains	N/A
Streams	N/A
Other	N/A

LANDSCAPING REQUIREMENTS	
Location	Required Planting Yard Type and Rate
North	15% of the total site for lots less than 55,000 square feet
South	
East	
West	

CONNECTIONS 2025 COMPREHENSIVE PLAN POLICIES

Connections 2025 Written Policies:

POLICY 6A.4: Implement measures to protect neighborhoods from potential negative impacts of development, redevelopment, and/or public projects that are inconsistent with the neighborhood's livability, architectural or historical character, and reinvestment potential.

POLICY 7A.2: Encourage "home-grown" and community-based businesses and entrepreneurs with special emphasis on increasing the number of minority-owned businesses in traditionally underserved parts of the community.

Connections 2025 Map Policies:

The area requested for rezoning lies within the following map classifications:

High Residential (over 12 d.u./acre): This category provides for high-density apartment dwellings, condominiums, life care, and similar housing types. Creating opportunities for this type of housing will become increasingly important to respond to demographic shifts and demand for affordable housing, and it is ideally suited near major activity and employment centers and in areas suitable for future transit service.

CONFORMITY WITH OTHER PLANS

The following aspects of relevant plans may be applicable in this case:

City Plans: N/A

Other Plans: N/A

STAFF COMMENTS

Planning: This property operated as a nonconforming neighborhood store for many years but lost its grandfathered status when it remained vacant for more than one year. The property is currently being operated as a produce stand for which a Notice of Violation has been issued by the zoning enforcement office.

A request to rezone this property to CD-RM-18 for three multifamily units was denied by the Zoning Commission on April 10, 2006. Planning staff recommended denial of that request. In its staff report on that past proposal, staff mentioned that although the Generalized Future Land Use Map (GFLUM) designates this area as High Residential, singling out this one small lot for multifamily development was not consistent with the single family character of the immediate area.

However, this present proposal is different in that the property has historically been used for commercial purposes. Thus, approval of this request would not result in a “new” type of land use, but rather continues small-scale business activity at this location. Furthermore, the High Residential land use classification makes provision for small supportive uses such as churches and neighborhood-serving commercial areas that are not always depicted on the GFLUM. In this case there is one of each at the corners of Green Point Drive and Merritt Drive.

The Neighborhood Business zoning district contains the following additional requirements which are designed to help insure that commercial or service uses are compatible with adjacent and nearby residential development:

- 1) No more than 3,000 square feet of gross floor area per use is permitted on a lot.
- 2) Outside storage is prohibited.
- 3) Hours of operation are restricted to between 6:00 a.m. and midnight.
- 4) Drive-thru sales and services are not permitted.
- 5) Exterior lighting is limited to indirect illumination and safety lighting, and (for signs only) cut-out letter lighting. All exterior lighting must be located, angled, shielded, and/or limited in intensity so as to cast no direct light upon adjacent properties. No exterior lighting shall be located higher than 15 feet above ground or pavement.
- 6) All off-street parking must be located to the rear of the building.
- 7) Buildings shall be reflective of the architectural styles, exterior materials, and colors of nearby residences.

GDOT: No additional comments.

Water Resources: No Additional comments.

STAFF RECOMMENDATION

Based on all the information contained in this report, the Planning Department recommends approval.